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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BARE ESCENTUALS BEAUTY, INC.,
Plaintiff,
v.
L'OREAL USA, INC., et al.,
Defendants.

No. C-07-1669 MMC

**ORDER GRANTING IN PART AND
DENYING WITHOUT PREJUDICE IN
PART STIPULATED REQUEST FOR
CONTINUANCE OF HEARING AND FOR
ORDER MODIFYING PRE-TRIAL AND
TRIAL DATES**

Before the Court is the "Stipulated Request for Continuance of Hearing for Motion to Dismiss and for Order Modifying Pre-trial and Trial Dates," filed January 31, 2008. By said stipulation, the parties seek to: (a) extend by thirty days certain deadlines related to jurisdictional discovery and briefing on defendant L'Oreal S.A.'s motion to dismiss, (b) continue the hearing on said motion from March 28, 2008 to May 2, 2008, (c) extend all other pre-trial dates and deadlines by approximately four months, and (d) continue the trial date from January 29, 2009 to June 29, 2009.

With respect to the deadlines related to jurisdictional discovery and briefing, the parties state the requested extensions will "allow Defendants time to complete their document production, and . . . allow the parties time to attempt to resolve disagreements regarding Plaintiff's Jurisdictional Discovery Requests without the need for Court


1 intervention.” (See Stipulated Request at 1:17-19.) The parties fail to explain, however,
2 why the limited extensions in that regard will necessitate a four-month extension of all other
3 pre-trial dates and deadlines and a five-month extension of the trial date.

4 Accordingly, the Court hereby GRANTS the stipulated request in part; specifically
5 the Court EXTENDS the deadlines related to jurisdictional discovery and briefing, as
6 stipulated by the parties, and CONTINUES the hearing on defendant L’Oreal S.A.’s motion
7 to dismiss to May 2, 2008.

8 In all other respects, the motion is hereby DENIED without prejudice, for the reason
9 the parties have failed to show good cause exists for extension of such pre-trial dates and
10 deadlines and the trial date. See Fed. R. Civ. P. 16(b) (providing pretrial order “shall not be
11 modified except upon a showing of good cause”). Such denial is without prejudice to the
12 parties’ providing a more detailed showing with respect to such additional relief.

13 **IT IS SO ORDERED.**

14 Dated: February 6, 2008

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16 MAXINE M. CHESNEY
17 United States District Judge
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